

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL LAURANT, JR.,

Plaintiff,

CIVIL CASE NO. 05-40366

v.

DETROIT ENTERTAINMENT, L.L.C., and
EZZIE B. ROOKS, JR.

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendants.

ORDER DENYING MOTION FOR RECONSIDERATION

Before the Court is Defendants' motion for reconsideration, filed on January 16, 2006. Defendants request this Court to reconsider its December 19, 2005 order declining supplemental jurisdiction over Plaintiff's state claims and dismissing the state claims without prejudice.

The Court may only grant reconsideration in limited circumstances. To succeed on a motion for reconsideration "[t]he movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also must show that correcting the defect will result in a different disposition of the case." E.D. Mich. Local R. 7.1(g)(3). A "palpable defect" is "a defect that is obvious, clear, unmistakable, manifest, or plain." *United States v. Cican*, 156 F. Supp. 2d 661, 668 (E.D. Mich. 2001) (Gadola, J.). After reviewing all relevant materials, the Court concludes that Defendants fail to identify a palpable defect and are simply seeking a reconsideration of the Court's order dismissing the state claims. "Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication." E.D. Mich. L. R. 7.1(g)(3)

In its December 19, 2005 order, the Court previously set out the factors and considerations for why the Court, in its discretion, declines supplemental jurisdiction over Plaintiff's state law claims. *See City of Chicago v. International College of Surgeons*, 522 U.S. 156, 172-73 (1997).

ACCORDINGLY, IT IS HEREBY ORDERED that Defendants' motion for reconsideration [docket entry 7] is **DENIED**.

SO ORDERED.

Dated: January 30, 2006

s/Paul V. Gadola

HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on January 31, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Teresa J. Gorman; Anne Bagno Widlak, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud

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